



COUNTY OF SAN DIEGO

DEPARTMENT OF PLANNING AND LAND USE: Zoning

APPLICANT'S GUIDE FOR A SOLAR ENERGY SYSTEM

These guidelines provide information on how to apply for a Solar Energy System. Review the attached Zoning Ordinance excerpts to determine where and under what restrictions this use is allowed. Please be sure to read ALL of the information in this Guide and application package forms.

OPTIONAL: Contact the Department of Planning and Land Use to set-up a pre-application meeting to determine the processing requirements and to discuss project specifics with various departments prior to formally submitting an application. To schedule a pre-application meeting, contact the Department of Planning and Land Use Zoning Information Counter at (858) 565-5981. Note: There is a fee for a pre-application meeting.

FILING REQUIREMENTS

Photovoltaic Solar Energy Systems for Onsite Use: Allowed as an accessory use in all zones upon approval of a building permit unless the property is subject to a Special Area Designator or is governed by a Discretionary Permit. (Please refer to Page 5)

Photovoltaic Solar Energy Systems for Offsite Use (project area less than 10 acres): Allowed in all zones upon approval of an Administrative Permit

Photovoltaic Solar Energy Systems for Offsite Use (project area 10 acres or more): Allowed in all zones upon approval of a Major Use Permit

Solar Energy Systems for Offsite Use: Allowed in all zones as Major Impact Service and Utility upon approval of a Major Use Permit.

Please refer to the Administrative Permit or Major Use Permit Cover Sheets for information on the application filing requirements for a Solar Energy System.

Please follow link: <http://www.co.san-diego.ca.us/dplu/zoning/ZoningPermits.html>

EXCERPTS FROM THE ZONING ORDINANCE

SOLAR ENERGY SYSTEMS

Section 1110: DEFINITIONS

Photovoltaic Solar Energy System: A type of solar energy system that converts solar energy into a usable form of electricity using Photovoltaic Solar Cells.

Solar Energy System, Onsite Use: A solar energy conversion system consistent with the requirements of section 6952 for onsite energy use. The energy generated is predominately used onsite.

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Section 6952(a): SOLAR ENERGY SYSTEMS, ONSITE USE

1. A photovoltaic solar energy system for onsite use shall be allowed as an accessory use to all Agricultural, Civic, Commercial, Industrial and Residential use types in all zones in accordance with the following requirements:
 - i. Setback. A System shall meet all of the main building setback requirements of the zone or comply with Section 4835.f. (See Page 4 for Height and Setback Requirements)
 - ii. Height. A System shall meet the height limit of the height designator of the zone, except when allowed to extend not more than 5 feet above the highest point of the roof, in accordance with Section 4620.i.
 - iii. Solar Panel Description. The panel manufacturer and model shall be specified as part of the building permit.
 - iv. Special Area Regulations: Photovoltaic solar energy systems for onsite use subject to a Special Area Designator must comply with the applicable Special Area Regulations provisions of Sections 5000 through 5999.

Section 6952(b)(1): PHOTOVOLTAIC SOLAR ENERGY SYSTEMS, OFFSITE USE ADMINISTRATIVE PERMIT PROCESS AND REQUIRED FINDINGS

1. A photovoltaic solar energy system for offsite use with a project area of less than 10 acres shall be allowed with an Administrative Permit in all zones in accordance with the Administrative Permit Procedure commencing at Section 7050. The following findings must be made prior to approval of an Administrative Permit:
 - (a.) That the location, size, design, and operating characteristics of the proposed use will be compatible with adjacent uses, residents, buildings, or structures, with consideration given to:
 - i. Harmony in scale, bulk, coverage and density;
 - ii. The availability of public facilities, services and utilities;
 - iii. The harmful effect, if any, upon desirable neighborhood character;
 - iv. The generation of traffic and the capacity and physical character of surrounding streets;
 - v. The suitability of the site for the type and intensity of use or development which is proposed; and to
 - vi. Any other relevant impact of the proposed use; and
 - (b.) That the impacts, as described in paragraph "b.1.(a.)" of this section, and the location of the proposed use will be consistent with the San Diego County General Plan; and
 - (c.) That the requirements of the California Environmental Quality Act have been complied with; and
 - (d.) That the applicant has provided the County with an owner consent letter demonstrating to the satisfaction of the Director that the operator of the Solar Energy System is authorized to use the property for a Solar Energy System, unless the operator owns the land upon which the Solar Energy System will be located.

**Section 6952(b)(2): PHOTOVOLTAIC SOLAR ENERGY SYSTEMS, OFFSITE USE
MAJOR USE PERMIT PROCESS AND REQUIRED FINDINGS**

2. A photovoltaic solar energy system for offsite use with a project area of 10 acres or more, or a combination of parcels with a combined area of 10 acres or more is a Major Impact Service and Utility in all zones and shall require a Major Use Permit permitted in accordance with the use permit procedure commencing at section 7350.

**Section 6952(b)(3): SOLAR ENERGY SYSTEMS, OFFSITE USE
MAJOR USE PERMIT PROCESS AND REQUIRED FINDINGS**

3. All other types of a solar energy systems or solar power plants including concentrating solar power plants, parabolic troughs, concentrating linear fresnel reflectors, stirling solar dish, or a solar power tower are a Major Impact Service and Utility in all zones and shall require approval of a Major Use Permit in accordance with section 7350 and the following requirements on any parcel of land:
 - (a.) Setback. A system or plant shall meet all of the setback requirements of the zone. (See Page 4 for Height and Setback Requirements)
 - (b.) Height. A system or plant of more than 200 feet in height is required to comply with Federal Aviation Administration safety height requirements.
 - (c.) Visual. The following measures shall be followed in order to minimize the visual impact of the project:
 - i. Removal of existing vegetation shall be minimized.
 - ii. Internal roads shall be graded for minimal size and disruption.
 - iii. Any accessory buildings shall be painted or otherwise visually treated to blend with the surroundings.
 - iv. A structure shall be non-reflective in all areas possible to blend with the surroundings.
 - (d.) Security. The operator shall provide a security in the form and amount determined by the Director to ensure removal of the Solar Energy System. The security shall be provided to DPLU prior to building permit issuance. Once the Solar Energy System has been removed from the property pursuant to a demolition permit to the satisfaction of the Director, the security may be released to the operator of the Solar Energy System.

HEIGHT AND SETBACK REQUIREMENTS

Front Yard Setback:	Permitted but shall not exceed 30 inches above grade and must maintain 3 foot setback from property line.
Interior Side Yard Setback:	Permitted but shall not exceed 12 feet in height and must maintain 3 foot setback from property line.
Exterior Side Yard Setback:	Permitted but shall not exceed 30 inches above grade and must maintain 3 foot setback from property line.
Rear Yard Setback:	Permitted but shall not exceed 12 feet in height and must maintain 3 foot setback from property line. Solar Panels shall not cover more than 50 percent of the required yard in combination with all structures in the rear yard setback.
Main Building Envelope:	Permitted but shall not exceed the allowed maximum height by the height designator.
Roof Mounted Panels on Main Building:	Permitted but shall not extend more than 5 feet above the highest point of the roof. (Section 4620.i)
Roof Mounted Panels within Interior Side/ Rear Yard Setback:	Permitted but shall not exceed 12 feet in total height (accessory building including solar panels). (Section 4835.f)

MISC. INFORMATION

Building Permit:

Building Permits will be required to ensure that all solar energy systems meet current Uniform Building Code. Applicants should contact the DPLU Building Division at (858) 565-5920 or toll-free at (888) 336-7553 for Code standards and requirements.

Department of Environmental Health

If a proposed solar energy system is proposed to be sited near a septic system or is proposed to use a well for water, please contact the Department of Environmental Health (DEH) to identify DEH requirements.

Special Area Designator

If the project site contains a Special Area Designator (J, B, D, or S) and has no approved Site Plan or Use Permit, a waiver of the Site Plan review requirements may be required prior to the issuance of a building permit for a solar energy system or a Site Plan would be required.

FOR PROJECTS REQUIRING A DISCRETIONARY PERMIT:

Environmental Review:

The deposit collected for the environmental review portion of the application covers review of an Application for an Environmental Initial Study (AEIS) for compliance with the California Environmental Quality Act (CEQA). If any environmental issues are identified or an additional study is needed after the initial review by DPLU staff, the applicant may need to submit additional forms/studies and an additional deposit.

Service Availability Letters

To show that there are adequate public facilities to serve the Solar Energy System, the applicant must include Service Availability Letter from the fire district (DPLU #300F), water district (DPLU #399W), and sewer district (DPLU #399S) if the project will be served by a public sewer district. The applicant completes the top of the form and then has the service agency complete the bottom portion. Once the forms are completed by the service agency, they should be submitted with the remainder of the application. Please be aware that service agencies may have requirements and improvements that need to be met and completed before the Solar Energy System can open for business.

Stormwater Regulations

Applicants for Solar Energy Systems do have to prepare a Stormwater Protection Plan as part of the Administrative and Major Use Permit process, and please be aware that operation of a solar energy system must comply with all applicable stormwater regulations at all times. In addition, building permit plans must demonstrate how stormwater regulations will be met. The activities at a solar energy system are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (Ordinance No. 9926) and all other applicable ordinances and standards. This includes requirements for Low Impact Development (LID) <http://www.sdcounty.ca.gov/dplu/docs/LID-Handbook.pdf> materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas greater than one acre require that the property owner keep additional and updated information on-site concerning stormwater runoff.

Previously Approved Discretionary Projects

If the subject parcel has an approved discretionary permit, then any proposed solar energy system shall be in compliance with that particular discretionary permit. A County of San Diego Planner shall verify that the proposed project is consistent with the approved plot plan and that all pre-building permit conditions of the approved discretionary permit have been satisfied.